IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY THIRD DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 9960 of 1997

Between:

D.David S/o.Sri Soloman
Office of the Chief Executive Officer, Fish Farmers Development Agency, Guntur

..... PETITIONER

AND

1 The Secretary to Government Animal Husbandry and Fisheries (Fish.II) Department, Government of A.P., Secretariat, Hyderabad
2 The Director of Fisheries Government of A.P.,
Tank Bund Road, Hyderabad
3 The Regional Dy. Director of Fisheries Zone-III, Guntur
4 The District Collector / Chairman Fish Farmers Development Agency, Guntur
5 The Chief Executive Officer Fish Farmers Development Agency, Guntur

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more in the nature of writ of mandamus calling for the records relating to G.O.Ms.No.20, Animal Husbandry & Fisheries, (Fish-II) Department Dt.25/02/1997 in so far as the discontinuance of the Fish Farmers Development Agency in Guntur is concerned and the consequential order issued by the respondent No.5 in his proceedings Rc.No.84/A/97, Dt.28/02/1997 and declare the same as illegal, arbitrary, unjust and unconstitutional, while issuing a consequential direction to the respondents to continue the Fish Farmers Development Agency scheme or in the alternate to absorb and regularise the petitioner either in the fisheries department or any other department with consequential and attendant benefits and pass such other order.

Counsel for the Petitioner: MR.D.GOVARDHANACHARY

Counsel for the Respondent No.: GP FOR FISHERIES

The Court made the following ORDER:

The writ petition is filed by the petitioner aggrieved by the action of the respondents in discontinuing the petitioner from the fifth respondent –Organisation, as Driver.

2. The contention of the petitioner is disputed and denied by the respondents by filing a counter-affidavit.

3. At the time of hearing, it is represented by the learned counsel for the petitioner as well as the learned Government Pleader for Fisheries that similar batch of writ petitions have already been dismissed, in view of the winding up of the entire scheme itself, which was formulated under the directions of the Government of India. The said orders were also confirmed in Writ Appeals. However, it is stated that the Government issued G.O.Ms.No.45 dated 13.05.1997 creating a financial package to the employees who were deprived of continuance in service in view of the winding up of the scheme. It is further stated that a batch of writ petitions were disposed of directing the respondents to implement the said package.

4 . In view of the same, there shall be a similar direction to the respondents to consider the claim of the petitioner also on par with the similarly placed employees with reference to the financial package. If any amount has been paid to other similarly placed petitioners under the financial package referred to earlier, the petitioner shall also be paid expeditiously, within a period of six weeks.

5. The writ petition is accordingly disposed of with the above directions. No costs.

23.07.2004

va

To

1 The Secretary to Government Animal Husbandry and Fisheries (Fish.II) Department, Government of A.P., Secretariat, Hyderabad
2 The Director of Fisheries Government of A.P.,
Tank Bund Road, Hyderabad
3 The Regional Dy. Director of Fisheries Zone-III, Guntur
4 The District Collector / Chairman Fish Farmers Development Agency, Guntur
5 The Chief Executive Officer Fish Farmers Development Agency, Guntur
6 Two CCs to G.P. for Fisheries, High Court of A.P. Buildings, Hyderabad (OUT)
7 Two CD Copies